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**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB Finance Docket No. 35106**

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**UNITED STATES DEPARTMENT OF ENERGY  
– RAIL CONSTRUCTION AND OPERATION –  
CALIENTE RAIL LINE  
IN LINCOLN, NYE, AND ESMERALDA COUNTIES, NV**

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**ENTRY OF APPEARANCE**

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**David A. Hirsh  
HARKINS CUNNINGHAM LLP  
1700 K Street, N.W., Suite 400  
Washington, D.C. 20006-3804  
(202) 973-7600**

***Counsel for Nuclear Energy Institute***

**June 17, 2008**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**UNITED STATES DEPARTMENT OF ENERGY  
– RAIL CONSTRUCTION AND OPERATION –  
CALIENTE RAIL LINE  
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**ENTRY OF APPEARANCE**

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The Nuclear Energy Institute (“NEI”) respectfully requests that the service list in the above-captioned proceeding be amended to reflect the appearance of David A. Hirsh, at the address listed below, as the Counsel of Record for NEI:<sup>1</sup>

David A. Hirsh  
Harkins Cunningham LLP  
1700 K Street, N.W., Suite 400  
Washington, DC 20006  
(202) 973-7600

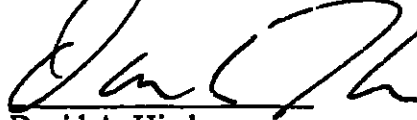
NEI requests that the above-named counsel be served all future filings, submissions, discovery requests and responses, notices, and decisions in this proceeding. (NEI does not require service on its new counsel of any previous filings or decisions in this proceeding.) NEI further requests that Michael A. Bauser, who originally appeared

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<sup>1</sup> The Board’s Notice served May 30, 2008 required all amendments to the service list to be filed by June 6, 2008. However, NEI did not retain outside counsel until after that date, and respectfully requests leave to file this late amendment to the service list.

as the Counsel of Record for NEI, be kept on the service list as a Non-Party.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Hirsh", written over a horizontal line.

David A. Hirsh  
Harkins Cunningham LLP  
1700 K Street, N.W., Suite 400  
Washington, DC 20006  
(202) 973-7600

*Counsel for Nuclear Energy Institute*

June 17, 2008

## **CERTIFICATE OF SERVICE**

I certify that I have this 17th day of June, 2008, served copies of the foregoing Entry of Appearance upon all parties of record in this proceeding by first-class mail, postage prepaid, or a more expeditious method of delivery.



Jared H. Powell